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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,031	04/25/2000	Thomas Alan Sponheim	MS147303.1	9355
27195	7590	03/07/2005	EXAMINER	
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			ALI, SYED J	
			ART UNIT	PAPER NUMBER
			2127	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/558,031	SPONHEIM ET AL.	
	Examiner	Art Unit	
	Syed J Ali	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed October 29, 2004. Claims 1-46 are presented for examination.

2. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC § 103

3. **Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narin et al. (USPN 6,691,176) (hereinafter Narin).**

4. As per claim 1, Narin teaches the invention as claimed, including a system for retrieving data, comprising a client device programmed to create a communications channel in response to selecting an element displayed on a page and to communicate information about the element via the communications channel (col. 5 lines 45-60), the client device displaying on the page definitional information related to the selected element based on response data received via the communications channel (col. 11 lines 4-62); wherein the creation of the communications channel is event driven and responsive to at least one user-generated event (col. 11 line 63 - col. 12 line 43).

5. While Narin contemplates creating the communication channel in response to a user-generated event (col. 1 lines 13-43), it is noted that the event is not necessarily user-generated. For example, the event could be generated when a running script encounters a portion of code

Art Unit: 2127

that requires the invocation of a service. Nonetheless, one of the ways that the communication channel is created is in response to a user-generated event (col. 1 lines 15-20; col. 1 lines 40-43)

6. As per claim 2, Narin teaches the invention as claimed, including the system of claim 1, wherein the client device is programmed to create a container on the page in response to the element being selected (col. 5 lines 45-60), the container being used to display the definitional information based on response data received via the communications channel (col. 5 line 61 - col. 6 line 20).

7. As per claims 3-4, Narin teaches the invention as claimed, including the system of claim 1, wherein the response data received via the communications channel programs the client device dynamically to display the definitional information on the page (col. 1 lines 36-43), wherein the client device is programmed to at least one of copy and transfer at least some of the response data to a container for displaying the definitional information based on the at least some of the response data on the page relative to the selected element (col. 11 lines 34-62).

8. As per claims 5-6, Narin teaches the invention as claimed, including the system of claim 4, wherein the client device is programmed to create the container on the page in response to the element being selected (col. 1 lines 36-43; col. 11 line 63 - col. 12 line 43), wherein the container is positioned adjacent to the selected element (col. 9 lines 51-62).

Art Unit: 2127

9. As per claims 7-8, Narin teaches the invention as claimed, including the system of claim 5, wherein the definitional information displayed in the container further includes selectable container elements (col. 11 lines 34-47) and the client device is further programmed to communicate via the communications channel information about the at least one container element in response to selecting at least one container element (col. 11 lines 34-47).

10. As per claims 9-10, Narin does not specifically teach the invention as claimed, including the system of claim 1, wherein the communications channel is an inline floating frame programmed to access an Active Server Page associated with a database.

11. Narin acknowledges that there are a wide variety of services that may be invoked across a diverse array of protocols and browsers (col. 1 lines 13-43; col. 12 lines 44-62). Within the specific embodiment discussed by Narin, ActiveX controls are invoked via a connector object. However, other services are within the scope of the invention and may be displayed within the user's browser in a number of browser formats, depending on the needs of the end user (col. 12 lines 44-62).

12. As per claim 11, Narin teaches the invention as claimed, including the system of claim 1, wherein the information about the element includes at least one of a uniform resource locator and metadata associated with the displayed page (col. 1 lines 32-43).

13. As per claim 12, Narin teaches the invention as claimed, including the system of claim 1, wherein the selected element includes at least one word (col. 11 lines 48-62).

14. As per claim 13, Narin teaches the invention as claimed, including the system of claim 1, wherein the displayed page further includes a plurality of selectable elements and the selected element includes at least one of the selectable elements (col. 11 lines 48-62).

15. As per claims 14-26, Narin teaches the invention as claimed, including a system for retrieving data, comprising a client-server model for implementing the system of claims 1-13 (col. 1 lines 6-10).

16. As per claim 27, Narin teaches the invention as claimed, including a computer-readable medium having computer-executable instructions for performing acts comprising the steps performed by the system of claims 1-13 (Fig. 1).

17. As per claims 37-46, Narin teaches the invention as claimed, including a method for dynamically retrieving data, comprising the steps performed by the system of claims 1-13 (col. 10 line 29 - col. 12 line 43).

Response to Arguments

18. **Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new grounds of rejection.**

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Berstis (USPN 6,708,311 and 6,785,869) teaches a central glossary that can be used with a web browser to provide definitions and spell checking of words on a web page. The user can dynamically update the glossary.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2127

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Syed Ali
March 1, 2005



MENG-ACT. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER